

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**THE UNITED STATES OF AMERICA**

**vs.**

**CASE NO. 3:97-CR-082-20 (SEC)**

**EDWIN MELENDEZ-NEGRON**

\*\*\*\*\*

**MOTION FOR SOME DISPOSITION**

**TO THE HONORABLE SALVADOR E. CASELLAS  
U.S. DISTRICT JUDGE  
DISTRICT OF PUERTO RICO**

**COMES NOW, FERNANDO MORALES, U. S. PROBATION OFFICER** of this Honorable Court, presenting an official report upon the conduct and attitude of supervisee, Edwin Meléndez-Negrón who was initially sentenced on April 26, 2002, to 121-months of imprisonment after he pled guilty of violating Title 21 U.S.C. § 846. On December 23, 2003, subject's sentence was amended for purpose of sentence reduction from 121 months to 96 months. A five (5) years supervised release term was also imposed under the following special conditions: 1) submit to drug testing and treatment if needed, 2) submit his person, residence, office or vehicle to search at a reasonable time and in a reasonable manner. On April 23, 2004, the offender was released and began to serve his term of supervised release. Later on, he was relocated to another district.

Based on the information provided by the supervising Probation Officer of the offender, this motion is to inform that since Mr. Melendez-Negron's release from custody he has maintained a stable residence with his family, and has also maintained stable employment with his self-owned business. Mr. Meléndez-Negrón has submitted to random urinalysis testing, all of which have returned negative results for the presence of illegal substances.

On November 25, 2006, Mr. Meléndez-Negrón came into contact with officers of the Police Department where he resides, after allegedly committing the offense of Petit Theft. According to the Notice to Appear, Mr. Meléndez-Negrón was a customer at a Department Store. The loss prevention officer observed Mr. Meléndez-Negrón enter the tool department with a shopping cart which contained bags of rocks.

The loss prevention officer saw Mr. Meléndez select a Dewitt 14" saw blade from the shelf and insert it under the bag of rocks. The officer saw Mr. Meléndez-Negrón take a utility knife from the display area, remove it from the package and place it in his back pocket. He then proceeded to the register to check out and only paid for the bag of rocks. He left the store without paying for the saw blade or the utility knife. Mr. Meléndez-Negrón was subsequently detained by the loss prevention officer outside the store. Mr. Meléndez Negrón was not arrested by the State Police Department but was provided a Notice of Appear in the County Clerk's Office.

On July 26, 2007, Mr. Meléndez-Negrón appeared before the Honorable C. Jeffrey Arnold, State of Florida Judge, in which he pled *nolo contendere*. The Adjudication was *ADJ withheld*. Mr. Meléndez-Negrón was ordered to pay \$262.50 cost fine and also ordered not to return to the store for a period of one year.

At this time, the District where the offender resides will not pursue revocation of Supervised Release. The U. S. Probation Office of Puerto Rico has no objection to their position.

**WHEREFORE**, it is respectfully requested that Court not take any adverse action as relates to the offender's non-compliant behavior. If he fails to comply with his release conditions the court will be immediately notified.

In San Juan, Puerto Rico, this 21st day of September, 2007.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF  
U.S. PROBATION OFFICER

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on September 21, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:  
Rosa E. Rodríguez, U.S. Attorney and Johnny Rivera, Esq.

In San Juan, Puerto Rico, September 21, 2007.

*s/Fernando Morales*

Fernando Morales

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